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Moses and Mendenhall in Traditio-Historical Perspective

Robert D. Miller II

George Mendenhall's ideas about the encounter between the Israelites and Yahweh at Sinai in Exodus 19- 34 and the use of "treaty" motifs therein have defined the discussion of this passage for many scholars. The theories of Mendenhall may be used as a starting point for examining Sinai in traditio-historical perspective. His arguments cannot be accepted without major qualification, nor can they be rejected; Mendenhall's position still has much to offer. Furthermore, "cult" may provide a means of explaining the transmission of the "treaty" tradition connected with Sinai

The episode involving the theophany at Mt. Sinai stands out in the biblical text as a tradition of momentous proportions. The theophany, and the accompanying law-giving in the form of the Ten Commandments, has survived as a focal theme in the theology of post-biblical Judeo-Christian religion, as well. Despite the apparent centrality of Sinai, however, much debate exists as to the precise position of the tradition in the text.

The incident at Sinai comprises a good portion of the book of Exodus: from chapter 19 through 34, at least, and in a sense through the entire rest of the book. It records an encounter between the Israelites, led by Moses, and Yahweh that takes place at Mt. Sinai. Central to the text as it stands is the giving of the law, which takes place in this context. Beyond this, there is disagreement among scholars as to how the tradition fits into the tradition history of the Pentateuch and the Old Testament as a whole. George Mendenhall stands out as a figure whose ideas about the Sinai event may be viewed as a pole of opinion to which the work of other scholars may be related. It is thus worthwhile to examine the

theories of Mendenhall, and to use them as a starting point for examining Sinai in traditio-historical perspective

This paper will first summarize the positions of Mendenhall, both as outlined by the scholar himself and as elaborated by later adherents. The salient criticisms of each position will then be outlined, along with the refutations given to these criticisms. Finally, some attempt at synthesis will be made, suggesting some possible considerations which might enlighten the issue.

Mendenhall began by observing that the covenant at Sinai is regarded by a major portion of the biblical tradition as community-making, as foundational for Israelite identity¹. Even Martin Noth agrees with this analysis². Mendenhall's hypothesis is that the Sinai covenant was the instrument whereby diverse clans were bonded into a single sociopolitical entity³. The Sinai covenant was, in a literal sense, constitutional for Israel. Only by such a covenanting could a heterogeneous community expand to include new groups, and have a basis for responsibility for new laws. The Ethical Decalogue, or rather an *Urdekalog* of only commands and prohibitions, was the text of this Sinai covenant⁴. It contained the stipulations of Yahweh -- stipulations which defined justice, not law, for the community: they provided the basis for later laws⁵. As such, the Ethical Decalogue allows for maximum self-determination on the part of the human community, imposing, in fact, only two

¹George Mendenhall, *Law and Covenant in Israel and the Ancient Near East* (Pittsburgh: The Biblical Colloquium, 1955), p. 5.

²Martin Noth, *The Laws in the Pentateuch and Other Studies*, ET (Philadelphia: Fortress Press, 1967), p. 37; *A History of Pentateuchal Traditions*, ET (Engelwood Cliffs, NJ, 1972), p. 61.

³Mendenhall, *Law and Covenant*, p. 5.

⁴Mendenhall, *Law and Covenant*, pp. 5-6.

⁵Mendenhall, *Law and Covenant*, pp. 5-6.

obligations: the Sabbath and the honoring of parents. It was Mendenhall's contention that the Israelite community had to have been founded this way, unless one fell back on the tradition of Genesis that the Israelites were all related⁶. Either law and order and the definition of justice originated organically within a homogeneous group -- a huge extended family, which Mendenhall rejected, or the heterogeneous group had to be constitutionally covenanted at Sinai⁷.

In a corollary study (and in fact a separate article; Mendenhall's *Law and Covenant in Israel and the Ancient Near East*, 1955, was a fusing of two 1954 articles in *Biblical Archaeologist*, "Ancient Oriental and Biblical Law," and "Covenant Forms in Israelite Tradition"), Mendenhall analyzed the form this covenant constitution takes. He found first that only treaties resemble the Sinai covenant, more specifically Hittite suzerainty treaties of 1400-1200 B.C.⁸. These Hittite suzerainty treaties were found to show the same mixture of apodictic and casuistic laws found in Exodus 21-23, and the same structure as the Sinai covenant. Mendenhall explicitly spelled out the structural parallels⁹, and Klaus Baltzer elaborated even further the extensive correspondence between the Hittite treaties and the Exodus 19¹⁰. The parallels included the structure of identification of covenant giver and historical prologue (Exod 20:2); stipulations (the Ten Commandments); provision for deposit and periodic public reading, witnesses, blessings and curses (all elsewhere in the tradition); ratification ceremony (Exodus 24);

⁶Mendenhall, *Law and Covenant*, p. 5.

⁷George Mendenhall, *The Tenth Generation* (Baltimore: The Johns Hopkins University Press, 1973), p. 21.

⁸Mendenhall, *Law and Covenant*, p. 7.

⁹Mendenhall, *Law and Covenant*, pp. 32-38.

¹⁰Klaus Baltzer, *The Covenant Formulary*, ET (Oxford: Oxford University Press, 1971), pp. 27-29.

and formal procedures for violation of the covenant. Walter Beyerlin expanded this analysis to show parallels such as the notion of the clauses of the treaty as the words of the author, the written record of the treaty, affirmation of obligations, and several other small-scale parallels¹¹.

Joshua 24 was found to likewise follow the Hittite suzerainty treaty pattern, in fact even more closely than in Exodus¹². It was proposed, however, that the text in Joshua 24 had been edited by a later editor who was unfamiliar with the now outdated Hittite suzerainty form. The text was that of a new covenant for a new group. The reason Sinai was not mentioned was that it was irrelevant. Joshua 24 was the extension of the Sinai covenant to tribes who were not present at Sinai, and was thus also community-making¹³.

Mendenhall hinted that the treaty form was not exactly "Hittite." It was merely the common suzerainty treaty of the time, probably originating in Mesopotamia, for which Hittite treaties just happened to be the best attested¹⁴. Later scholars have affirmed and expanded this suggestion. It is clear that this was not the "Hittite" treaty form, but rather the "standard international treaty convention of the period,"¹⁵ especially common in Syria¹⁶. Thus the appellation

¹¹Walter Beyerlin, *Origins and History of the Oldest Sinai Traditions*, ET (Oxford: Oxford University Press, 1965), pp. 54-62.

¹²Hans-Joachim Kraus, *Worship in Israel*, Trans. G. Buswell (Oxford: Basil Blackwell, 1966), pp. 138-40; Baltzer *The Covenant Formulary*, pp. 19-27.

¹³Kraus, *Worship in Israel*, pp. 136-37.

¹⁴Mendenhall, *Law and Covenant*, p. 28.

¹⁵R. A. F. MacKenzie, *Faith and History in the Old Testament* (New York: The MacMillan Company, 1963), p. 46.

"Hittite" is best dropped, and "LB suzerainty treaties" is a better term.

Mendenhall used this second of his arguments, the parallel with LB suzerainty treaties, to support his first argument about the nature and centrality of Sinai. By Neo-Assyrian times the LB suzerainty treaty forms did not exist, and the Neo-Assyrian forms were much different¹⁷. So the Sinai covenant must date from the Late Bronze Age. This was in keeping with Mendenhall's conclusion that the 8th-century prophets presupposed the covenant¹⁸ and the Ethical Decalogue¹⁹.

Mendenhall's ideas have found extensive following²⁰. Even Gerhard von Rad accepts the treaty parallel for the Sinai episode²¹.

¹⁶Hayim Tadmor, 'Treaty and Oath in the Ancient Near East,' pp. 128-52 in *Humanizing America's Iconic Book*, ed. G. M. Tucker and D. A. Knight (Society of Biblical Literature Centennial Publications, Chico, CA, Scholars Press, 1982), p. 130.

¹⁷Kenneth Kitchen, *The Bible in its World* (Downers Grove, IN: Eisenbrauns, 1977), p. 80; Tadmor 'Treaty and Oath.'

¹⁸Mendenhall, *Law and Covenant*; W. T. Koopmans, *Joshua 24 as Poetic Narrative* (Journal for the Study of the Old Testament Supplement 93, Sheffield: JSOT Press, 1990), p. 459.

¹⁹Dewey Beegle, *Moses, The Servant of Yahweh* (Ann Arbor: Pryor Pettengill Press, 1979), p. 234.

²⁰These include Klaus Baltzer (*The Covenant Formulary*), Walter Beyerlin (*Origins and History*, p. 54), Kenneth Kitchen (*The Bible and Its World*, pp. 75-85), H. Huffmon ('The Exodus, Sinai and the Credo,' *Catholic Biblical Quarterly* 27 (1965):101-13), Delbert Hillers (*Covenant: The History of a Biblical Idea* (Seminars in the History of Ideas 1, Baltimore: The Johns Hopkins University Press, 1969), Arvid Kapelrud ('Some Recent Points of View on the Time and Origin of the Decalogue,' *Studia Theologica* 18 (1965):87), Dewey Beegle (*Moses*, pp. 204-209), James Muilenberg ('The Form and Structure of the Covenantal Formulation,'

Many criticisms have been raised against Mendenhall. First, scholars have posed serious textual problems for the Sinai episode as used by Mendenhall. The Ethical Decalogue is central to Mendenhall's treaty. Even without its Priestly reworking, which Mendenhall grants²², many have argued that the Ethical Decalogue was originally independent²³. Mowinckel thought it was late, dating after the prophets but before the Exile²⁴. Likewise, Alt saw it as a sign of the decay of apodictic laws: "the Decalogue deliberately renounces a part of the customary literary form and phraseology in order to fulfil a need which the other lists could not cope with adequately within their stylistic limits, and which indeed they had raised the more urgently by their very incompleteness."²⁵ Nevertheless, to Mendenhall's defense, there are some who see the Ethical Decalogue as E, and as a part of the entire Sinai complex²⁶. T. Thompson sees the Ethical Decalogue as a variant theophany tradition, not connected with Exodus 19 and 20:18-23:19, but as

Vetus Testamentum 9 (1959):347-65), David Noel Freedman, and William Moran (Dennis McCarthy, *Old Testament Covenant* (Oxford: Basil Blackwell Press, 1972), pp. 13-15.

²¹Gerhard von Rad, *Old Testament Theology*, trans. D. M. G. Stalker (New York: Harper & Row, Publishers, 1962), vol. 1, p. 132.

²²D. Patrick, *Old Testament Law* (Atlanta: John Knox Press, 1985), p. 36.

²³Beyerlin *Origins and History*, p. 12.

²⁴Sigmund Mowinckel, *Le Decalogue* (Paris: Librairie Felix Alcan, 1927), p. 161.

²⁵Albrecht Alt, *Essays on Old Testament History and Religion* (Anchor Books, Garden City: Doubleday & Co, Inc., 1968), p. 158

²⁶R. E. Clements, *Prophecy and Covenant* (Studies in Biblical Theology 43, London: SCM Press Ltd., 1965, repr. 1969), p. 74.

doing exactly what Mendenhall suggested: an account of a foundational, constitutional covenant which in contrast to the other tradition downplays "Torah" and is not a fulfillment of what Jethro began²⁷.

Furthermore, Thompson says this variant tradition also accounts for Exod 24:2-8²⁸. This challenges McCarthy's and Nicholson's objection that Exod 24:3-8 is an independent strand, and cannot therefore be the ratification of the covenant²⁹. In fact, McCarthy is in the minority in separating Exod 24:3-8 from the main JE narrative³⁰.

There is also a problem with Exodus 20:22-23:33, which Mendenhall sees as paralleling the LB suzerainty treaty mixture of apodictic and casuistic laws³¹. This is the Covenant Code. Beyerlin holds that it has no connection with the actual Sinai tradition, "and was only brought into a loose connection with it later."³²

²⁷Thomas Thompson, *The Origin Tradition of Ancient Israel* (JSOTSup 55, Sheffield: JSOT Press, 1987), vol. 1, pp. 151, 185.

²⁸Thompson, *The Origin Tradition*, pp. 151, 185.

²⁹D. McCarthy, *Treaty and Covenant*, rev. ed. (Analecta Biblica 21, Rome: Pontifical Biblical Institute, 1978), p. 266; E. W. Nicholson 'The Antiquity of the Tradition in Exodus XXIV 9-11,' *Vetus Testamentum* 25 (1975):69.

³⁰Beyerlin *Origins and History*, p. 16-17; E. W. Nicholson, 'The Covenant Ritual in Exodus 24:3-8,' *Vetus Testamentum* 32 (1982):74; J. P. Hyatt, 'Were There an Ancient Historical Credo in Israel and an Independent Sinai Tradition?' pp. 152-70 in *Translating & Understanding the Old Testament*, ed. H. T. Frank and W. L. Reed (Nashville: Abingdon Press, 1970).

³¹Mendenhall, *Law and Covenant*, pp. 32-38.

³²Beyerlin *Origins and History*, p. 1; also Patrick, *Old Testament Law*, p. 64; A. Phillips, *Ancient Israel's Criminal Law* (Oxford: Oxford University

Nevertheless, Mendenhall is interested in form criticism and traditions history, and not in source criticism. Form criticism must by definition begin with narratives as they exist, and so Mendenhall should be viewed as doing a different sort of project from those who would criticize him for his mixing of sources. There are those, however, who criticize him from a traditions history angle, as well. Some would argue that covenant is a late tradition, following L. Perlitt. But even Perlitt admits that covenant theology existed prior to the prophets, only that it fully develops with the Deuteronomist in the early Exile³³. D. McCarthy rejects even that argument of Perlitt³⁴.

Some have argued that Sinai is not a covenant at all, yet alone a treaty³⁵. "The Sinai texts do not show the covenant form."³⁶ Graham Davies says one cannot tell if covenant was used to describe Israel's relationship to Yahweh at the stage of the Sinai pericope³⁷. Brevard Childs sees no evidence of covenant in J's account of Sinai³⁸. Much of this is a debate over terminology. Arvid Kapelrud, while denying it is covenant, sees the Sinai episode

Press, 1970), pp. 20-33. T. Thompson also separates the Covenant Code from the other traditions (*The Origin Tradition* , p. 189).

³³Koopmans, *Joshua* 24, p. 71.

³⁴McCarthy, *Treaty and Covenant*, p. 23; the same is true for Sperling (Koopmans, *Joshua* 24, p. 80).

³⁵Kapelrud, 'Some Recent Points,' p. 84.

³⁶McCarthy, *Old Testament Covenant*, p. 57.

³⁷Graham I. Davies, 'Sinai, Mount,' *Anchor Bible Dictionary* (Garden City: Doubleday & Co., Inc., 1992), vol. 6, p. 49.

³⁸Brevard Childs, *The Book of Exodus* (Old Testament Library, Louisville: The Westminster Press, 1974), p. 348.

as community-forming, constitutional, and justice-defining³⁹, which sounds like what Mendenhall meant by covenant. M. D. Guinan has shown that Sinai is emphatically covenant⁴⁰.

The crux of the challenge to Mendenhall is in his use of the LB suzerainty treaties as analogy. Many elements which belong in the treaties are missing from the Sinai covenant, namely the witnesses, the deposit in a sanctuary, and the blessings and curses⁴¹. It is also questionably whether the opening clause of the Ethical Decalogue is really a historical prologue⁴².

Mendenhall and his supporters argue that these are elsewhere in the Mosaic tradition. The witnesses may be the forces of nature (Deut 32:1; Isa 1:2; Jer 2:12; Mic 6:1-2)⁴³. In fact, nature as witness is acceptable in a LB treaty, but not in a Neo-Assyrian one⁴⁴. Additionally, Joshua 24 has both a stone as a witness⁴⁵ and the people as witnesses against themselves⁴⁶. The deposit of the law in the Ark is found in Deuteronomy 10 and 1 Kgs 8:9. The blessings

³⁹Kapelrud, 'Some Recent Points,' p. 84.

⁴⁰M. D. Guinan, 'Mosaic Covenant,' *Anchor Bible Dictionary* (Garden City: Doubleday & Co., Inc., 1992), vol. 4, p. 906.

⁴¹E. W. Nicholson, *God and His People* (Oxford: Clarendon Press, 1986), p. 58.

⁴²Nicholson, *God and His People*, p. 68.

⁴³Beyerlin *Origins and History*, p. 60; Hillers, *Covenant*, pp. 53-54; Beegle, *Moses*, p. 211.

⁴⁴George Mendenhall and Gary Herion, 'Covenant,' *Anchor Bible Dictionary* (Garden City: Doubleday & Co, Inc., 1992), vol. 1, p. 1181.

⁴⁵Beegle, *Moses*, p. 211.

⁴⁶Koopmans, *Joshua 24*, p. 406

and curses are found explicit in Deuteronomy 28 and 31⁴⁷. They may also be implied by the apodictic nature of the Ethical Decalogue⁴⁸. Or they may be implied by the blood ritual in Exodus 24⁴⁹. The opening clause of the Ethical Decalogue need not function alone as the historical prologue; the events of the Exodus are narratively presupposed.

This by no means answers the criticism. If Exodus 19, rather than 20:1-2, is the historical prologue, it is "an entirely different character from the historical prologue in the treaties,"⁵⁰ it is theophany. It has been argued that the Ethical Decalogue cannot be treaty stipulations, because treaty stipulations are usually casuistic, not apodictic⁵¹. The treaties have no mediators in the sense that Moses is for Sinai⁵². The matter of ratification, if it is that, in Exodus 24 is unlike the LB suzerainty treaties. Exodus 24 has two traditions. In vv 3-8 is a communion sacrifice and blood rite⁵³, of which the blood rite is central and earlier, and the sacrifice is derivative⁵⁴. It is rather unique with its twofold sprinkling of blood and use of young men instead of priests⁵⁵. Perhaps these young

⁴⁷Mendenhall, *Law and Covenant*; Beegle, *Moses*, p. 212.

⁴⁸Beyerlin, *Origins and History*; Kapelrud, 'Some Recent Points,' p. 86.

⁴⁹Hillers, *Covenant*, p. 53; Beegle, *Moses*, pp. 206, 212.

⁵⁰Nicholson, *God and His People*, p. 69.

⁵¹E. Gerstenberger, 'Covenant and Commandment,' *Journal of Biblical Literature* 84 (1965):42, 46.

⁵²Childs, *The Book of Exodus*, p. 348.

⁵³Nicholson, *God and His People*, p. 69.

⁵⁴Nicholson, 'The Covenant Ritual,' p. 81.

⁵⁵Beyerlin *Origins and History*, p. 38.

men are cultic officials as in 1 Sam 2:13⁵⁶. The other tradition is a Bedouin meal, reminiscent of the patriarchs⁵⁷. Nicholson argues that there is no meal here, that "beheld God, and ate and drank" in v 11 means "beheld God and lived."⁵⁸ Noth believed that the meal was the older tradition⁵⁹, Nicholson that the blood rite was oldest (and older than Exodus 19)⁶⁰. In any event, none of these rituals appear in the LB suzerainty treaties.

On a more ideological level, "The covenantal relationship between God and an entire people is unparalleled,"⁶¹ as is its preoccupation with individual behavior and the internal life of human relationships⁶². But Mendenhall argues that it is only in the LB suzerainty treaties that such preoccupation would be possible, and not in later Neo-Assyrian treaties⁶³.

As for Joshua 24, where less treaty elements are missing⁶⁴, one runs into dating problems. Mendenhall acknowledges this, suggesting

⁵⁶Nicholson, 'The Covenant Ritual,' p. 81.

⁵⁷Beyerlin *Origins and History*, p. 34.

⁵⁸E. W. Nicholson, 'The Origin of the Tradition in Exodus XXIV 9-11,' *Vetus Testamentum* 26 (1976):149, 151.

⁵⁹Noth, *The Laws in the Pentateuch*, p. 39.

⁶⁰Nicholson, 'The Antiquity of the Tradition,' p. 70.

⁶¹Nahum Sarna, 'The Covenant at Sinai,' pp. 102-103 in *Exodus* (Jewish Publication Society Commentary Series, Philadelphia: Jewish Publication Society, 1991), p. 102.

⁶²Sarna, 'The Covenant at Sinai,' p. 102; Gerstenberger 'Covenant and Commandment,' 47.

⁶³Mendenhall and Herion, 'Covenant,' p. 1182.

⁶⁴Baltzer *The Covenant Formulary*, pp. 27-28.

that such late authorship of the final form may be the reason why only curses are present (blessings are absent in Neo-Assyrian treaties⁶⁵).

An even stronger criticism against Mendenhall's analysis has been made by those who acknowledge that some treaty parallels exist with the Sinai covenant, but that those are explainable in light of Neo-Assyrian treaties. In other words, this criticism is aimed at Mendenhall's conclusion regarding the date of the Sinai tradition. Despite his earlier statement that "Treaties in this form [LB] . . . seem to have ceased to be commonly used,"⁶⁶ McCarthy later argues that the elements of treaties are the same from Eannatum of Lagash down to Esarhaddon⁶⁷, and so cannot be used to date. The treaty form was at once too uniform over time and too varied within a given period to be used as Mendenhall intends. "The diversity of treaty texts entailed that there was not a single, unambiguous form with which to draw comparisons."⁶⁸ Several instances have been pointed out already where the treaty form is characteristically different from LB to Neo-Assyrian, and more will be said on this below.

The conclusion of many is that Mendenhall's construct "In reality . . . has yielded little that is of permanent value. The resemblance is . . . merely superficial."⁶⁹ On the other hand, some would say "the evidence that Israel uses the treaty-form . . . is irrefragable. There is not another literary form from among those of the ancient Near East

⁶⁵Mendenhall and Herion, 'Covenant,' p. 1185.

⁶⁶D. McCarthy, 'Covenant in the Old Testament,' *Catholic Biblical Quarterly* 27 (1965):221.

⁶⁷McCarthy, *Treaty and Covenant*, pp. 7, 122; contra Tadmor 'Treaty and Oath.'

⁶⁸Koopmans, *Joshua* 24, p. 457.

⁶⁹Nicholson, *God and His People*, p. 81.

which is more certainly evident in the Old Testament,"⁷⁰ but disagree on what period treaties are being paralleled.

In this, some have attempted to rewrite Mendenhall on his behalf, using his groundwork for a new construct. McCarthy⁷¹ proposes that at its earliest stage, covenant meant ritual (Exod 24:1-11, or at least vv 3-8). Later it came to be a verbal affirmation (Exod 19:3b-8⁷²). Finally, the treaty pattern of the Neo-Assyrian loyalty oath was implanted on covenant (Deut 4:44-26:19; 28⁷³). Koopmans has found this construct to be weak, particularly on the dating of the last two steps, and on the nature of the "verbal affirmation."⁷⁴

Another post-Mendenhall model is that of Weinfeld⁷⁵. In this covenant is first law and observance of the specific laws (Exod 24:3-8). Next the notion of the suzerainty treaty as model for covenant arises (Joshua 24, where the treaty elements are more complete) -- the generic treaty structure which is common to the entire 2nd and 1st millennia. Finally, the Deuteronomic author had both of these traditions available and mixed the two, putting them into a homiletic oratory. Since at his time the Neo-Assyrian loyalty oaths were the only treaties known to him, he thought that was what

⁷⁰ McCarthy, *Old Testament Covenant*, p. 14 = 'Covenant in the Old Testament,' p. 221.

⁷¹ McCarthy, *Treaty and Covenant*.

⁷² The pericope is possibly Deuteronomic, as per Muilenberg 'The Form and Structure,' p. 351, or Deuteronomistic, as per Childs, *The Book of Exodus*, p. 348.

⁷³ Nicholson, *God and His People*, pp. 60, 64.

⁷⁴ Koopmans, *Joshua 24*, p. 459.

⁷⁵ Moshe Weinfeld, *Deuteronomy and the Deuteronomic School* (Oxford: Clarendon Press, 1972).

the treaty analogy meant⁷⁶. Koopmans finds this also weak, an attempt by Weinfeld to show that Deuteronomy was closer to treaties than Joshua 24⁷⁷. It is, in fact, more likely that the Deuteronomic author had no covenant, and the Deuteronomist tried to relate the Deuteronomic laws to the treaty form he saw in the Sinai texts (possible LB) by writing the treaty form into the book of Deuteronomy using the treaty form he knew, the Neo-Assyrian⁷⁸.

Mendenhall's work, his original two articles, was really working toward two different goals with two different methodologies. In the first, Mendenhall the biblical scholar was trying to identify the signification of the Sinai covenant in the text⁷⁹. Nevertheless, Mendenhall was preoccupied with Biblical Theology and was writing at the height of that movement. He sought to identify theologies of central tenets of "biblical religion" or "Israelite religion" for use in modern theology. The second article was Mendenhall the historian of ancient Israel, attempting to reconstruct the past as best as possible, using the biblical text as one source among many.

Some final observations can be made regarding the Sinai tradition using each of the two Mendenhalls as a framework, first on covenant in traditio-historical perspective and then on covenant in history. Covenant is a multifaceted idea. It is descriptive norms (as Weinfeld) **and** shared experience of *Heilsgeschichte* (as von Rad's credos) **and** formal structure (as Mendenhall's treaties) **and** ritual

⁷⁶Nicholson, *God and His People*, pp. 67-68.

⁷⁷Koopmans, *Joshua 24*, p. 459.

⁷⁸A. D. H. Mayes, *Deuteronomy* (New Century Bible Commentary, Grand Rapids: Eerdmans Publ. Co., 1981), p. 69.

⁷⁹Mendenhall and Herion, 'Covenant,' p. 1179.

act (as von Rad). Mendenhall now argues this⁸⁰. Covenant is also an interaction characterized by *Ṣedaqa*, which is also legislative -- and in fact, the later, the more legislative (contra Weinfeld). It is a motive for justice⁸¹ -- as with Hosea and Jeremiah, not a source for law⁸².

Given this understanding of covenant, it is interesting to note that all law sets -- the Ethical Decalogue (Exodus 20), Ritual Decalogue (Exod 34:17-26), Covenant Code (Exodus 21-23), Deuteronomic Code (Deut 5:6-21), Dodecalogue of Curses (Deut 27:15-26), Holiness Code (Leviticus 9), and Priestly Code (Exod 35:1-3; Leviticus 1-16; 27; Numbers 5-6) -- all join themselves to Sinai, either explicitly or by imagery and language. Thus, law is the response to covenant⁸³. This is the place of the tradition in the text; one should not go further as Huffmon does and start talking about Law and Gospel in the Pentateuchal tradition⁸⁴.

As for the second Mendenhall, the reasonable proposition may be made that historical reconstruction is a legitimate goal for the historian. This is in no way a "historicist" endeavor, as "objective" history has not been the aim of any serious historian since von Ranke. The historian makes a culturally bound, tropologically bound, effort to create a past in keeping with the evidence that exists. One cannot ignore the Hittite material as presented by Mendenhall, Beyerlin, and Baltzer. Furthermore, one cannot

⁸⁰Mendenhall and Herion, 'Covenant,' p. 1180.

⁸¹As Mendenhall, *Law and Covenant*, pp. 5-6.

⁸²Cf. Johannes Pedersen, *Israel: Its Life and Culture* (London: Oxford University Press, 1926), vol. 1, pp. 304-305, whose understanding of covenant is at times refreshing amidst modern commentators; also compare Nicholson, *God and His People*.

⁸³Childs, *The Book of Exodus*, pp. 382-83.

⁸⁴Huffmon, 'The Exodus,' p. 113.

criticize Mendenhall the historian for failing to perform textual analysis in a way he never intended to utilize. He most certainly can be criticized on his own terms. For instance, he assumed that a society must be constituted either genealogically or covenantally⁸⁵. This is anthropologically wrong⁸⁶.

As for the other criticisms raised against his construct, Mendenhall (and Herion) throws the entire question open again with his 1992 article "Covenant" in the *Anchor Bible Dictionary*. Mendenhall argues that only a modern Westerner would expect strict formal correspondence between the LB suzerainty treaties and a parallel in the biblical text. "The author (or editor) responsible for its final canonical shape did not believe that he had to pattern the *text* of the Sinai covenant deliberately after the LB suzerainty treaties (if he even knew what they were)."⁸⁷ Yes, there are holes in the structural correspondence, but what is noteworthy is that there are some correspondences at all. Elements which scholars have been at a loss to explain aside from the LB suzerainty treaty analogy.

As already mentioned, Mendenhall points out that in Neo-Assyrian treaties there is no nature as witness⁸⁸, no historical prologue or deposit or public reading, no pretense for transcendent moral or ethical formulation⁸⁹, no blessings⁹⁰ – all of which are associated with the definition of covenant rooted in the Sinai tradition. "What

⁸⁵Mendenhall, *Law and Covenant*, p. 5.

⁸⁶See Elman Service, *Origins of the State and Civilization* (New York: W. W. Norton & Company, Inc., 1975) for the many ways societies can integrate.

⁸⁷Mendenhall and Herion, 'Covenant,' p. 1184.

⁸⁸Mendenhall and Herion, 'Covenant,' p. 1181.

⁸⁹Mendenhall and Herion, 'Covenant,' p. 1182.

⁹⁰Mendenhall and Herion, 'Covenant,' p. 1182.

is surprising in that later milieu [of the redactor or Yahwistic or Deuteronomistic author] is that any blessings were enumerated at all, something that could not have been predicted from the structure and content of the Assyrian loyalty oaths. It is difficult to imagine how an Israelite scribe of that time could *invent* the covenant idea and include *blessings*."⁹¹ Also foreign to the Neo-Assyrian treaties are the ideas held in common by the LB treaties and the Sinai tradition, "e.g., the motif of a relationship based on gratitude and a sense of obligation to values shared by the suzerain and vassal alike."⁹²

Both Mendenhall and Weinfeld hold that later authors/redactors did not recognize the earlier treaty forms in the traditions they received. They reinterpreted according to what they knew, Neo-Assyrian treaties. This is why elements of the Neo-Assyrian treaty form superimpose over the LB suzerainty treaty form. Should this be surprising that authors/redactors would do this? Not at all; in fact, they have no choice. They are bound to the language of the time. They are not laboriously bound to form, making them mechanistic authors/redactors. But language is societally imposed, and they cannot change that. If one follows a historical chain pragmatic theory, then language is used only as it historically has come to be accepted as descriptive of reality⁹³. Now, unless meaning is only an idea associated with the expression in the author's mind or the audience's minds (and this post-structuralist theory is a valid option), then meaning is determined by use in the language

⁹¹Mendenhall and Herion, 'Covenant,' p. 1184.

⁹²Mendenhall and Herion, 'Covenant,' p. 1187.

⁹³A. Akmajian, R. A. Demers, and R. M. Harnish, *Linguistics* (Boston: MIT Press, 1981), p. 247; the alternative is a descriptive pragmatic theory where language really does somehow objectively describe reality, but this is never true for analogy in any case.

community. Language is a part of style⁹⁴. So the later authors could not help but use current definitions of "treaty" when transmitting the tradition and defining "covenant."⁹⁵ At one time, the word "treaty," and "covenant," signified a concept visible in LB suzerainty treaties. At another, it could only signify what is visible in the Neo-Assyrian loyalty oaths. If there are elements in the biblical tradition about covenant which do not fit the latter, Neo-Assyrian, definition, how can one account for them? "If these traditions did not ultimately derive from the LB/early Iron Age, from whence did the later Israelite scribes derive these motifs [re. the historical chain pragmatic theory], and why would their later audiences find them meaningful [re. post-structuralist theory]?"⁹⁶ The tropes which are not at home with the semantic world of the authors/redactors must come from intertextuality. That is, the only other place the author could define the signification of his language other than his own culture is the textual tradition he is authoring within – 'deeply embedded within the traditions.'⁹⁷ That is how the LB covenant definition can be preserved.

It remains to establish whether the meaning from the Hittite world or Assyrian world was ever the same in Israel. Of course it was not -- tropes cannot be understood by the comparative method⁹⁸, and that is what Mendenhall is saying when he criticizes the modern, Western mind set in this respect. Nevertheless, Mendenhall has

⁹⁴Clifford Geertz, *Local Knowledge* (New York: Basic Books, 1983); Robert Darnton, *The Kiss of Lamourette* (New York: W. W. Norton and Company, 1990).

⁹⁵Mendenhall and Herion, 'Covenant,' p. 1183.

⁹⁶Mendenhall and Herion, 'Covenant,' p. 1184.

⁹⁷Mendenhall and Herion, 'Covenant,' p. 1187.

⁹⁸Shemaryahu Talmon, 'The 'Comparative Method' in Biblical Interpretation,' *Congress Volume Göttingen* (Vetus Testamentum Supplement 29, Leiden: E. J. Brill, 1978) p. 320.

shown that the meaning has transferred to some extent. If the meaning of "covenant" in the Sinai tradition does relate with the LB suzerainty meaning of "treaty," and then is preserved intertextually, then this preservation could take many forms. What is observable at the end of this "black box" of tradition is some of the formal elements and some of the ideology, although in no cases is it ideology which could not be expected from the internal biblical tradition. That is, perhaps the tradition did not preserve a covenant idea without a form, as so many have argued, but rather preserved a form without the idea⁹⁹. Perhaps only cult can preserve a form so long¹⁰⁰. Cultic language is conservative, and often preserves forms for extended times long after secular language has changed.

Hans-Joachim Kraus¹⁰¹ has shown that "there is perhaps some sort of ritual in Israel which followed a sequence rather like that of the ancient Hittite treaty ... there is an analogy between the sequence of events of the Israelite ritual and of the parts of the Hittite treaty."¹⁰² This is no "covenant renewal ceremony," or at least it need not be¹⁰³, but rather some ritual that follows the sequence of the LB suzerainty treaties. In fact, this is the strongest connection with the Hittite treaties, as McCarthy has shown¹⁰⁴. McCarthy, following Henning Graf Reventlow, suggests that both the covenant that both treaty and the covenant apodictic law were cultic, and had different,

⁹⁹Baltzer *The Covenant Formulary*, p. 90.

¹⁰⁰Baltzer *The Covenant Formulary*, p. 89.

¹⁰¹Kraus, *Worship in Israel*.

¹⁰²McCarthy, *Old Testament Covenant*, p. 16 = 'Covenant in the Old Testament,' p. 225.

¹⁰³See Nicholson, 'The Origin of the Tradition,' p. 7.

¹⁰⁴McCarthy, *Old Testament Covenant*, p. 16.

parallel developments from a single ritual underlying them both¹⁰⁵. Yet perhaps it is possible that a ritual underlies the text of the Sinai pericope, and not the ritual described in Exodus 24. This ritual might be the earliest form of the Sinai covenant (as McCarthy), and this ritual goes back to the form of the LB suzerainty treaties (contra McCarthy). At a later stage, the text may have been added to either justify the ritual (which may not even have been Israelite¹⁰⁶), or to explicate the ritual as covenant, or to connect an extant Sinai tradition with the treaty cult. "There can be no doubt that covenant was connected with cult"¹⁰⁷; "characteristic features of the ceremonial rehearsal ... might have influenced the tradition to a large extent, ... affected the structure of the whole account as well as the individual phrases."¹⁰⁸ If ritual could shape the language and structure, as Kraus argues, it could surely be the origin of the language and structure. It could be that covenant shifted from rite to pledge as according to McCarthy and Nicholson¹⁰⁹, or it could be that the rite may not even have been covenant at the earliest stage, especially if Childs is correct about the vagueness of covenant in the Sinai pericope¹¹⁰. As to the origins of this now utterly unidentifiable "treaty cult" which used the LB suzerainty treaty form as its liturgy, such must remain elusive. Kraus points out that, if Shechem is connected, there is a vague tradition of the worship of

¹⁰⁵ McCarthy, *Old Testament Covenant*, p. 16 n. 14.

¹⁰⁶ Cf. Gerhard von Rad, *The Problem of the Hexateuch and Other Essays*, trans. E. Dicken (Edinburgh: Oliver & B., 1966), p. 38 and below.

¹⁰⁷ McCarthy, *Old Testament Covenant*, p. 57.

¹⁰⁸ Kraus, *Worship in Israel*, p. 137.

¹⁰⁹ Nicholson, *God and His People*, p. 64.

¹¹⁰ Childs, *The Book of Exodus*, p. 348.

an El Berit at Shechem in Judges 9:46¹¹¹. Perhaps this holds some answers.

This essay has attempted to examine the positions of Mendenhall and his detractors. It has been shown that the original arguments cannot be accepted without major qualification, nor can they be rejected. It is maintained that Mendenhall's position still has much to offer, particularly as re-articulated in Mendenhall and Herion, 'Covenant.' Finally, some forays have been made in looking at cult as a means of transmitting the tradition -- forays that are admittedly musing at best. The tradition history of the Sinai covenant remains a topic about which much can yet be learned and explored.

Robert D. Miller II

¹¹¹ Kraus, *Worship in Israel*, p. 140.

The Written And The Spoken Word

Dr. George K. Barr

Professor William Barclay's broadcast talks given in 1966 are used to examine the differences between the draft written text and the final spoken text in cases where the speaker departs from his notes and recasts the material spontaneously as he speaks. The findings are related to the structures found in certain Pauline epistles.

There are two stages in the preparation of a 'spontaneous' broadcast talk. The first is the preparation of written material to which are added technical instructions regarding captions, cues for music and camera shots. The second is the delivery of the spoken word in front of camera and microphone. In the second stage the original text may be largely ignored but it provides a peg upon which to hang the talk, which may be completely recast as it is delivered.

I recently rediscovered a set of four broadcast talks that were given by the late Professor William Barclay in 1966. These dramatic talks made a great impression on both Christian and non-Christian people at that time. What interests me at the moment is the relationship between the prepared written material and the spoken delivery. There are considerable differences between the two. It is easy to sit at a desk and produce fine monumental sentences at any stage in the work. It is a quite different proposition to do this under spotlights and before a microphone.

This has a bearing on the production of the Pauline epistles, because in the case of these epistles what we have in the New Testament record is not the preliminary written draft, but the spontaneous spoken production. It may well be that in the case of some of his more considered works, Paul did indeed have preparatory notes written on *membranae* which he used as a peg on which to hang his epistles. But largely, the material was held in his memory, and was poured out verbally and recorded by a secretary who had the

tachygraphic skills that were available in New Testament times. This resulted in a verbatim record rather like the Voicewriter copies produced by the BBC.

Some of Paul's epistles are more spontaneous than others. The more considered epistles have remarkable structural characteristics. A vigorous sense of rhythm that produces cycles of groups of longer and shorter sentences combines with a strong contrast between an opening high-scale section and a following low-scale section to produce a complex pattern that may be unique. This pattern is remarkably consistent and may be mimicked on a computer¹ to provide a model with different levels of complexity. Graphs² of the texts may then be matched with one or other level of the model. A wide survey of works both ancient and modern has failed to discover comparable patterns in any other author. This pattern occurs at the beginning of each epistle and appears to represent the first session of dictation. To this 'prime' material afterthoughts may have been added in subsequent sessions. I have named these patterns 'prime patterns'. The epistle to Galatians shown in Figure 1 demonstrates the classical Pauline prime pattern with a small afterthought. The stepped feature at the beginning of the graph reflects the cyclic pattern of longer and shorter sentences that runs right through the epistle; the opening rising section and the following falling section reflect the division into high-scale and low-scale sections that are often (but not always) doctrinal and ethical respectively. It is the interaction between these two features that produces the typical 'notch' at the central axis. This interaction results in an unexpected thrust of longer sentences at the beginning of the low-scale section that on the whole contains much shorter sentences.

¹ See Barr, G.K. "A Computer Model for the Pauline Epistles". *Literary and Linguistic Computing*, 16.3. (2001).

² See Barr, G.K. "The Use of Cumulative Sum Graphs in Literary Scalometry", *LLC*, 12.2. (1997).

Other epistles, notably 1 Thessalonians, have been produced under pressure and do not show such clear rhythmic features. In 1 Thessalonians, shown in Figure 2, the stepped pattern is imperfectly formed, but the contrast between the high-scale and low-scale sections is maintained. Paul was writing spontaneously in a crisis situation, answering an immediate need, and apparently did not put in the preparation necessary to produce a mature rhythmic pattern.

Turning to Professor Barclay’s talks it should be noted that there are differences in length between the written draft and the corresponding Voicewriter copy of the delivered talk. The lengths are as follows:

	WRITTEN DRAFT		VOICEWRITER COPY	
Talk 1	3346 words	<	3761 words	(12% longer)
Talk 2	3786	>	3669	(3% shorter)
Talk 3	3385	<	3727	(10% longer)
Talk 4	3010	<	3309	(10% longer)

The material in each case has been entirely recast as it was delivered in the broadcast, and in the spoken form the text has usually a much lower mean sentence length.

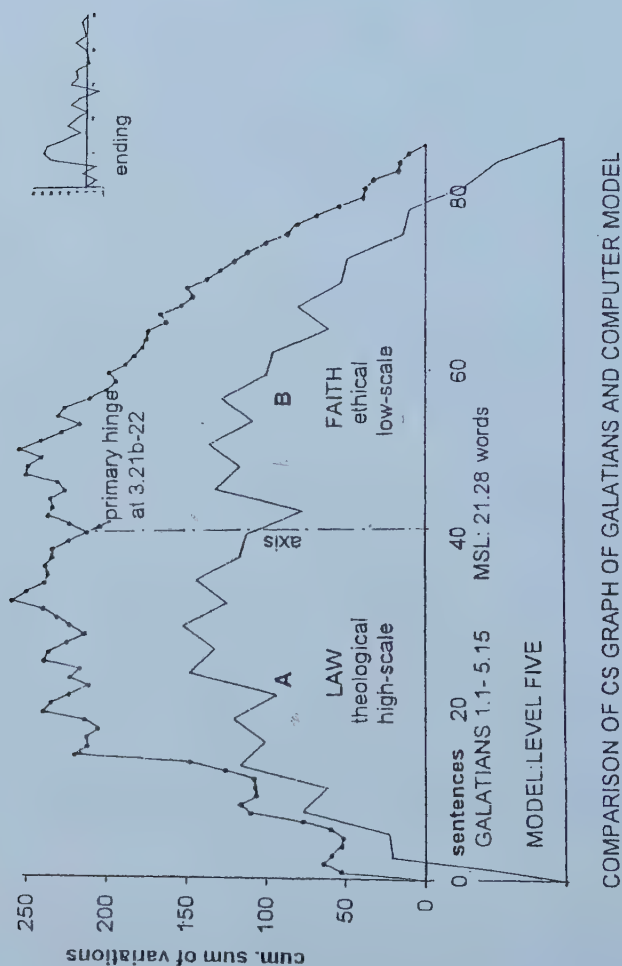
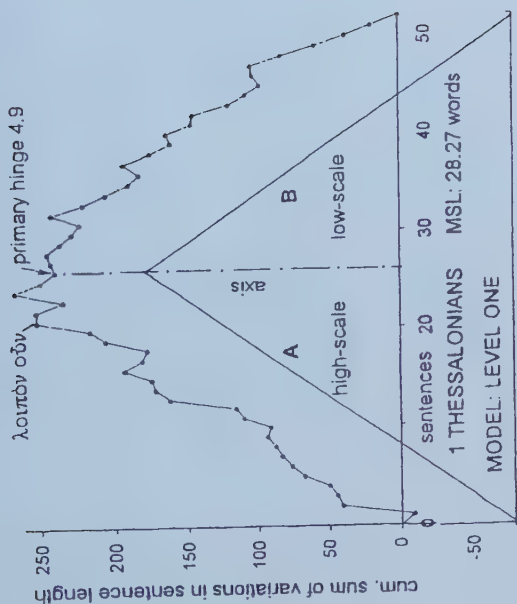


Fig. 1 In Galatians the high-scale (theological) and low-scale (ethical) sections concern Law and Faith respectively. From 5.16 to the end is afterthought material dictated in a further session.



COMPARISON OF CS GRAPHS OF 1 THESSALONIANS AND COMPUTER MODEL

Fig. 2 The text of 1 Thessalonians is more spontaneous and less rhythmic than other major Pauline epistles but shows the typical division into high-scale and low-scale sections.

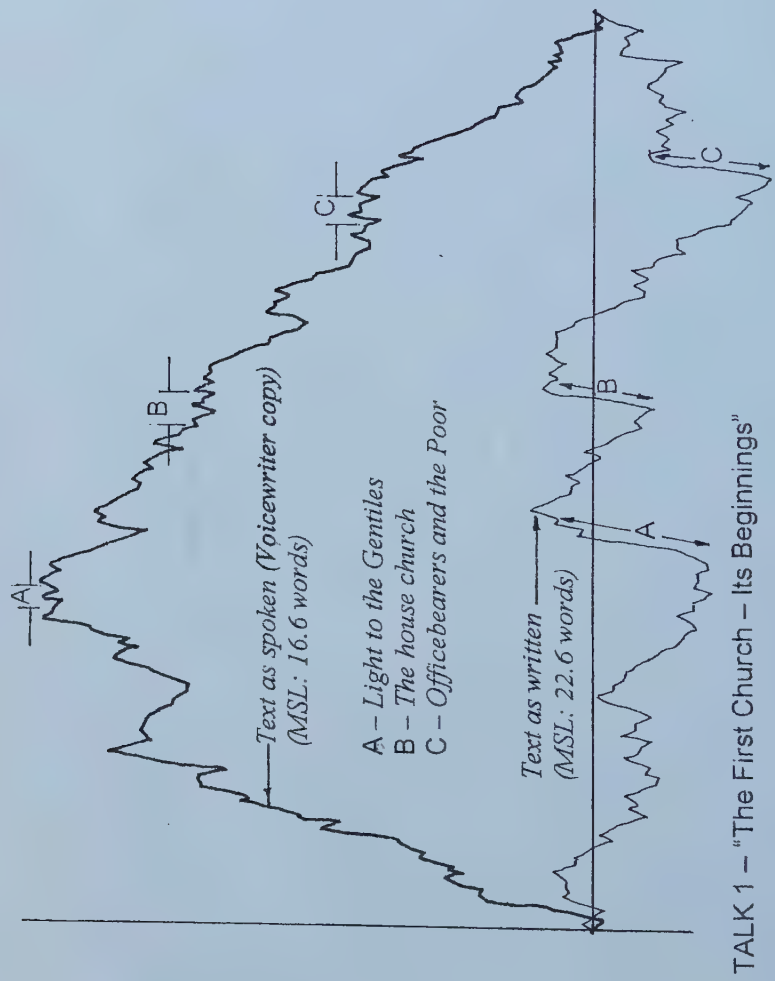
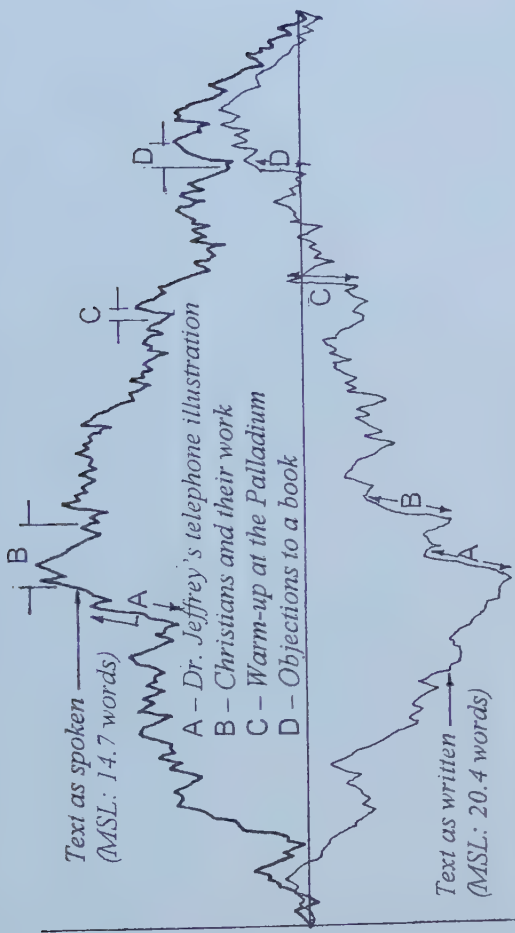
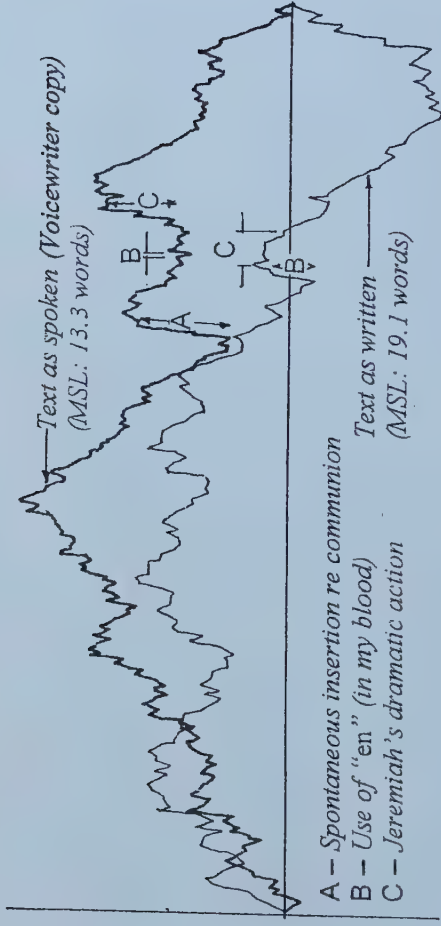


Fig. 3 A rising trace indicates longer sentences, a falling trace shorter sentences. Illustrations that use long sentences in the draft do not do so in the spoken delivery.



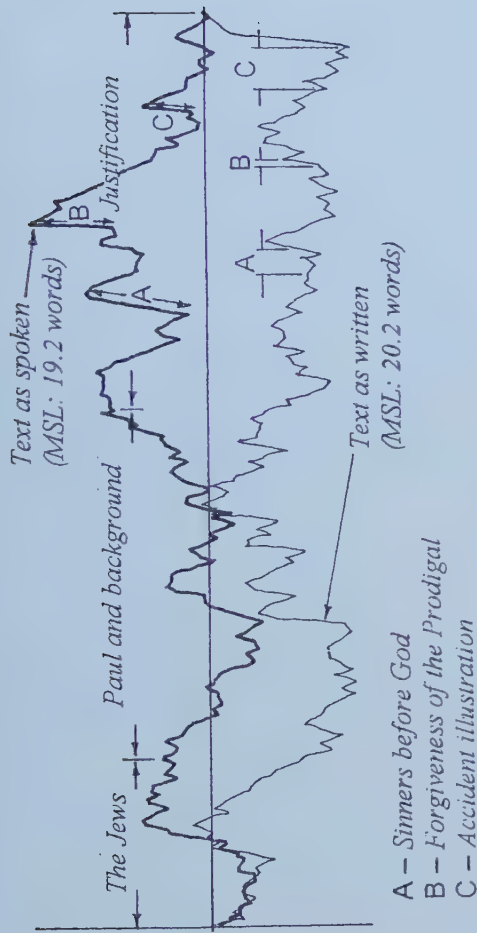
TALK 2 – “The First Church – Its Characteristics”

Fig. 4 The graph of the Voicewriter copy is almost a mirror image of the original draft. The longer sentences of sections A, C and D (but not B) are reflected in the talk.



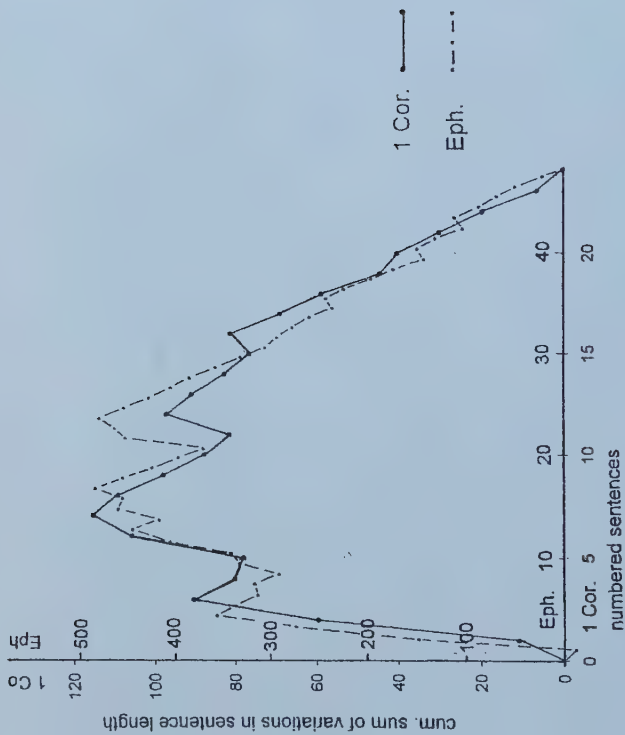
TALK 3 – "The First Church – Its Worship"

Fig. 5 This graph shows an unexpected strong feature at A. This is a small spontaneous tirade concerning communion that does not appear anywhere in the original draft. The sentence patterns at B and C do not correspond in the two versions. As in Figs. 3 and 4 there is a considerable scale difference between the written and spoken versions, resulting in differences in mean sentence length (MSL).



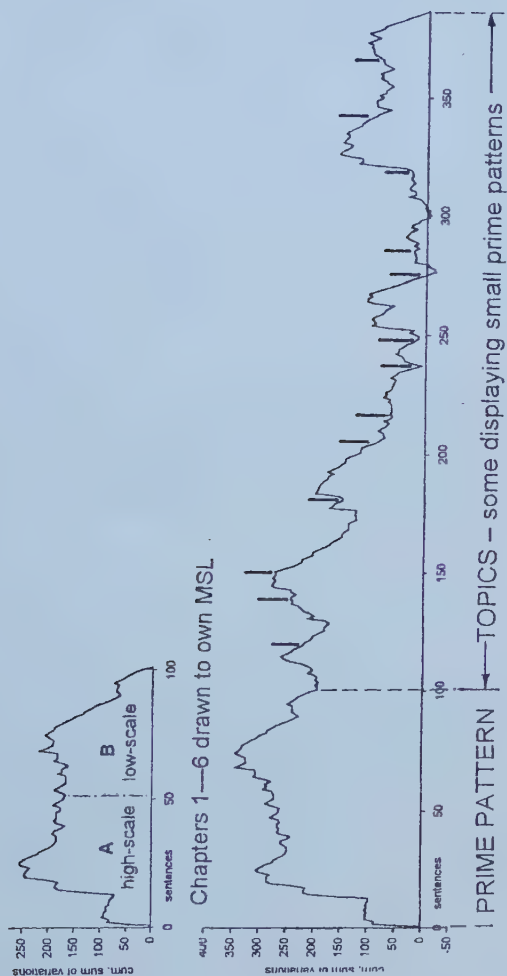
TALK 4 – “The First Church – Its Apostles”

Fig. 6 This talk differs from the other three in that there is little difference in scale between the written and spoken versions. Talks 1 and 2 showed a high-scale opening section followed by a low-scale section. The same pattern is seen less clearly in Talk 3 but is lost altogether in Talk 4 where the spoken version is as mixed as the written. The prominent features at A, B and C in the spoken version are scarcely represented in the written version.



COMPARISON OF PRIME PATTERNS OF 1 COR. 15.1-34 AND EPHESIANS 1—6 ON A COMMON BASE

Fig. 7 Despite the great differences in scale and mean sentence length, these two texts provide corresponding scale-related patterns.



1 CORINTHIANS

Fig 8 The prime pattern comprises the first six chapters. Thereafter each small topical pattern must be drawn out separately to its own mean sentence length to see the Pauline forms.

The first talk, shown in Figure 3, produces a Voicewriter copy the graph of which is not unlike that of 1 Thessalonians. The trace rises steeply showing that the mean sentence length of the first part is above the average for the epistle; then it falls indicating shorter sentences. However, it lacks the rhythmic structure that is generally found in the Pauline epistles. In Figures 3 to 6 the trace of the Voicewriter copy (the upper trace in heavy line) may be compared with the trace representing the preliminary text (the lower trace in a light line). The characteristics are quite different. Material that was covered using long monumental sentences in the draft is often dealt with summarily in short sentences in the spoken delivery.

In Talks 1 and 2 the graphs of the spoken delivery show a clear division into an opening section with longer sentences and a closing section with shorter sentences. This would also be seen in Talk 3 if Professor Barclay had not felt moved to introduce a mini-tirade concerning the misuse of communion (see A, Fig. 5) that was not included in the original draft.

Talk 4 (Figure 6) shows much less difference between the draft and the Voicewriter copy. Why should there be such differences in the height of the Voicewriter trace in these four graphs? The answer is that where the work is divided into a high-scale section with longer sentences and a low-scale section with shorter sentences, then the height is affected by the contrast between the sentence lengths in these sections. A precise figure can be put on this 'contrast factor' by dividing the mean sentence length of the longer over-average sentences by the mean sentence length of the shorter under-average sentences. The contrast factors of these pieces are as follows:

WRITTEN DRAFT		VOICEWRITER COPY	
Talk 1	2.71	<	3.27
Talk 2	2.67	<	3.04
Talk 3	2.69	<	2.97
Talk 4	3.07	>	2.72

Talk 1 shows the highest contrast and the greatest difference in height between the two graphs relating to the written and the spoken word. Talks 2 and 3 are similar to each other but show less difference in height than Talk 1. Talk 4 is unlike the other three in that the written draft has a higher contrast factor than the spoken version. Contrast in sentence length is largely a matter of 'mood' and 'attack' and wide variations may be found in the work of any author. On one occasion a speaker may be in good form and may use a great variety of sentence lengths, contrasting short exclamations with longer thoughtful sentences. On another occasion he may be deadily dull and produce monotonous sentences with little variation. The first of Barclay's talks may reflect the fact that he was keyed up on this first occasion and attacked his subject with exceptional vigour. Talks 2 and 3 show less contrast (the graph of Talk 3 being disturbed by his spontaneous insertion), and Talk 4 provides a graph that is similar to that of his prepared written notes. This last talk is not one unified production; rather it is an assemblage of three sections. The first concerns the Jews and is unremarkable except that it contains a new illustration that was not in the draft. The second section is also unremarkable structurally and is a description of Paul and his background. The rest of the talk is concerned with justification and this is treated in a much more lively way. The talk therefore provides three low graphs strung together, rather than one high graph. This may be compared with 1 Corinthians 7—16 (see Figure 8) and 2 Corinthians 1—9 which consist of several small topical patterns strung together and never achieve the form of the prime patterns found in 1 Corinthians 1—6 or 2 Corinthians 10—13.

Two things may account for the difference between Talk 4 and the other three. First, having departed radically from his written notes at the beginning of the talk, and knowing that his time for the whole talk was strictly limited to twenty minutes, Professor Barclay had to calculate as he went along how far the remaining material had to be summarised to save the necessary time. These conditions are inhibiting and may have affected his attack. Secondly, the first of these talks was recorded on 16 February, the second and third on the evening of 17 February and the last on 8th March. The first three represent a very demanding load on top of Professor Barclay's

punishing daily schedule. When the last talk was given three weeks later, circumstances were quite different and the excitement caused by the pressure of producing the first three talks in a very brief time had passed.

The graphs of the preliminary written drafts do not show consistent form and it may be that these were prepared piecemeal. It was Professor Barclay's habit, when his students retired for a coffee break, to go to his study and write a chapter of a book. Even these brief periods were apt to be interrupted by visitors to his study. The graphs of the written work may therefore represent a series of small sessions rather than a continuous production. Under these circumstances it is difficult to achieve an overall structure and the resulting graph consists of a series of small graphs strung together.

There are similarities between Professor Barclay's written notes and the small topics of the Corinthian correspondence. Some of these small topics provide miniature Pauline patterns while others are less clear. It would appear that Paul had a reservoir of material some of which may have been preserved in *membranae* notes. On some questions his mind was clear; and these produce miniature but characteristic Pauline patterns. On others he was responding spontaneously and perhaps thinking his way through new problems; there the patterns are less clear. The passages on marriage (1 Cor. 7.1-24), on spiritual gifts (12.1-31) and notably the passage on Resurrection (15.1-34), have strong Pauline characteristics. Indeed the pattern of the resurrection passage is directly scale-related to the prime pattern of the epistle to Ephesians. Figure 7 shows the graphs drawn on a common base. Both reflect the unusual if not unique rhythms of an author that cannot be imitated by reproducing the observable features that are normally associated with style. The differences between these two works are in 'scale' and 'contrast', and these are features that may vary very widely in the works of any author.

The Pauline prime patterns show a complexity that is not found in Professor Barclay's patterns, and they are much more consistent. Nevertheless, the relationship between Professor Barclay's

preliminary notes and his final verbal delivery of the texts, throws some light on the Pauline forms.

Dr George K. Barr

Anthony C. Thiselton, *The First Epistle to the Corinthians*. (The New International Greek Testament Commentary, Grand Rapids / Carlisle: Eerdmans / Paternoster 2000) £49.95

A commentary which extends to 1479 pages is a massive piece of work by any standard. Anthony Thiselton's commentary on 1 Corinthians is particularly impressive and deserves to become a standard text for all serious students of the Epistle.

Despite its bulk this commentary is highly accessible. Thiselton, as might be expected in a Greek text commentary, refers to specific Greek words throughout the text, but sparingly. He offers his own translation of the text (of which more later). Any Hebrew references are transliterated. A preliminary overview is offered for each chapter or section, followed by verse-by-verse commentary. There are several extended notes throughout the commentary on specific theological and socio-historical issues. These are clearly marked in the index and so, within a comparatively short time, it is easy to feel at home with this book.

The Corinthian Correspondence has been read for almost 2000 years and is thus a text which has exerted significant influence in the church. Thiselton seeks to recognise this at specific points in his commentary where he discusses the "posthistory" of the text. Within the preface he comments that he had prepared extensive notes in this area but constraints of space had necessarily caused them to be abbreviated and, for the most part, incorporated into the commentary. However half a dozen have been retained as extended notes. For example three pages are devoted to the posthistory and reception of ch.7 v14, "For the husband who is not a believer is made holy through his [Christian] wife, and the wife who is not a believer is made holy through her Christian husband. Otherwise, it follows, your children would not be cleansed; but now, in fact, they are holy". Thiselton's own approach to this difficult verse is to lay stress on the dynamic quality of holiness and the relational possibilities between husband and wife. Having established his own approach he offers a clear summary of the comments of, among others, Irenaeus, Clement of Alexandria, Tertullian, Origen, Chrysostom, Augustine, Cajetan, Bullinger, Bengel (whom he quotes in Latin but does not translate), and Calvin. It is a useful

three pages, although one senses that Thiselton could have offered further evaluation had space allowed.

A considerable strength of this commentary is the manner in which Thiselton is prepared to take space to offer fair and informed discussion of contentious issues. Two examples must suffice.

First, how are we to understand the dominical injunction repeated by Paul in ch.11:24, "do this in remembrance of me."? Thiselton first goes on the attack. "Remembrance denotes neither the exclusively subjective mental or psychological process of recollection characteristic of Cartesian or modern thought, nor the often exaggerated, overly objectified claims about 'reenactment' associated with the so-called myth-and-ritual school of A Bentsen, S.H.Hooke and S.Mowinckel." A number of dearly held positions fall within that sentence, but it is time to move to the positive, with help from the reflection that the Haggadah of the Passover makes it contemporary "by projecting the reality of the 'world' of the Passover and drawing participants of later generations *into it...*". Add to this the philosophy of Paul Ricoeur that, while consciousness entails attention to the present, "this becomes construed in terms of a continuity of personal identity in the linking of past, present and future in terms of memory and hope..." Where does this leave us? In a conclusion which allows students and preachers opportunity for further unpacking (and indeed demands it), Thiselton offers four propositions: "Remembrance of Christ and Christ's death (i) retains the biblical aspect of a *self-involving remembering in gratitude, worship, trust, acknowledgement, and obedience*. (ii) It also carries with it the experience of *being "there" in identification with the crucified Christ who is also "here" in his raised presence*. However, still further, it embraces (iii) a *self-transforming retrieval of the founding event of the personal identity of the believer(as a believer) and the corporate identity of the church (as the Christian church of God)* as well as (iv) a *looking forward to the new possibility for transformed identity opened up by the eschatological consummation*. Hardly the last word but a helpful contribution.

The breadth and fairness of this commentary comes to the fore once again when we turn to ch. 14:33b-36. Since Thiselton provides his

own translation of the Greek it is instructive to see how he handles these verses. First, his criteria:- "Judgments about translation become immensely difficult because they are inextricably bound up with Paul's assumption that the Corinthian readers would interpret and understand such words as *σιγατωσαν* and *λαλειν* in accordance with the *context of the situation* known both to the author and to the addressees. Here and "abstracted" rendering on the basis of word-for-word lexicography alone could actually violate *contextual* understanding." At this point we might interrupt with the question of the integrity of the text. Were not the verses in question in fact a later interpolation? Thiselton lays out the textual discussion in careful detail but comes to the conclusion that a floating text is not of itself sufficient reason to doubt integrity.

So how are we to judge context? Thiselton underlines that the language of speaking and silence are already very evident in ch 14, as is the concern for order. To what extent should there be order in a charismatic community? A.C.Wire is quoted with approval "*In the eyes of many at Corinth (order) did not (apply); in Paul's view, such a claim undermines the very unity of God by making the God of the Spirit of the new age contradict the God who revealed his ordered ways through scripture...*"

To which order are we specifically referring? Not so much the concept of submission as expressed in Genesis 3:16 (reflecting, as F.F. Bruce noted, a woman's instinctive inclination...towards her husband of which he (post Fall) takes advantage so as to dominate her) but rather to the creation narratives, where the issue is one of "respect".

All this, and more, serves to underpin carefully Thiselton's translation: "As in all the churches of God's holy people, when congregations meet in public, the women should allow for silence. For there exists no permission for them to speak [in the way they do(?)]. Let them keep to their ordered place, as the law indicates..." Question marks in parentheses offer the hint that discussion is far from closed, but also offer the necessary warning that any translation is only provisional.

To sum up, this is an extremely valuable commentary. It is not afraid to express an opinion where necessary, but only after a fully informed and judicious weighing of the evidence. In his preface Thiselton writes of his conviction that Paul speaks powerfully to the world of today. This commentary will help Paul's voice be heard.

Donald P Ker

James F. McGrath, *John's Apologetic Christology. Legitimation and Development in Johannine Christology* (SNTS Monograph Series 111, Cambridge: Cambridge University Press, 2001) [J. C. McCullough]

This book is a revised version of Dr McGrath's Ph.D dissertation presented to the University of Durham in 1998. Its thesis is that Johannine Christology developed as an attempt to respond to objections which were being made to Christian Christology beliefs, that 'legitimation provides the key stimulus for, and thus the best explanation of, the course of development followed by Johannine Christology.' (p. 47)

Dr McGrath argues in the second chapter that while 'the Fourth Evangelist's key christological ideas are not entirely different from the motifs and imagery of other early Christian writers' yet 'John has developed and used these elements of his Christian heritage in a distinctive way.' (p.67). The rest of the book deals in some detail with these Christological elements.

The second main section of the book entitled 'Jesus and God' considers the three important chapters in the Fourth Gospel, chapters 5, 8 and 10 where Dr McGrath argues that 'the Evangelist seeks to defend and legitimate the Christian view of Jesus as the one to whom God has given authority as his agent and viceroy, who sits at God's right hand and even bears God's own name.' (145). He argues that the author of the Fourth Gospel is using and adapting parts of the Christian tradition to convince his readers to believe, or

continue to believe, that Jesus is the Christ, the Son of God. Moreover, Dr McGrath argues that the motif of misunderstanding which all scholars have found to be common in the Fourth Gospel may have had an apologetic purpose, reflecting an aspect of the relationship of Johannine Christians and the synagogue at the time of the composition of the book. They probably felt that their beliefs were being rejected by the synagogue because they were being misunderstood, perhaps maliciously. 'the Evangelist's use of the motif of misunderstanding probably does not represent an attempt to convert 'the Jews', but to reinforce his own community's sense that their beliefs have been rejected wrongly, and that 'the Jews' are culpable for not having understood and believed things that the Johannine Christians felt should have been clear from Scripture and Jewish tradition.' (p.146).

The third part is entitled 'Jesus, Moses and Torah' and continues Dr McGrath's argument that the author is developing the traditions he inherited in order to defend his Christological beliefs. Chapter 9 looks at the Prologue where John makes use of traditional Wisdom categories to emphasize the superiority of Jesus and his revelation in contrast to Moses.

Chapter 10 considers John 3: 1-21 and the 'Descent / Ascent' theme where again, according to Dr McGrath the author is engaging in debate or dialogue with 'the Jews', in particular the debate over the status of Moses and Jesus and their respective qualifications to reveal heavenly things. 'The debate over this issue provoked him to draw out the implications of the traditions he inherited, resulting in significant developments to them.'

In chapter 11 he deals with John 6 and shows that there is evidence of a continuing debate over Moses, this time in connection with the giving of manna but this time Dr McGrath argues that there is evidence of an inner Christian debate in the text .. 'in other words John 6 records not only the developments that resulted from the conflict with the synagogue, but also the further conflicts resulting from those developments.' (179) ... possibly because John 6 was added to the Gospel after much of the earlier material had already been produced. These conflicts centred around the claim of heavenly origin claimed for the Son of Man.

The final chapter of this section (chapter 12) deals with 'Legitimizing signs' in John 9. Dr McGrath agrees with Martyn that the conflicts and debates found in the chapter reflects those which were taking place between certain Christians and their opponents in local Jewish community or communities. As in the rest of the book an important issues is that of Jesus and Moses (John 9:29) with the attention here focussed on how Jesus' claims and actions correspond to the demands of the Torah.

Dr McGrath's conclusion to the section is that 'the evangelist creatively adapted aspects of the traditions he inherited in order to defend his community's belief in Jesus as the supreme revealer and to respond to objections raised by Jewish opponents.'

All in all the book lives up to its promise to show that John was developing traditional Christian beliefs in debate and polemic with 'the Jews'. But even if one were not fully convinced by the thesis, the book gives a fair and up-to-date discussion of the main Christological issues in the Fourth Gospel (the relationship of the Son to the Father and the subsequent discussion of whether the Fourth Gospel remains within First Century Jewish monotheism, the relationship between Jesus and Moses, etc) and as such will prove very valuable to all students of the Fourth Gospel.

J. C. McCullough

Victor (Sung-Yul) Rhee, *Faith in Hebrews. Analysis within the Context of Christology, Eschatology and Ethics* Studies in Biblical Literature 19 (New York: Peter Lang, 2001) ISBN 0-8204-4531-2. £38.00.

The debate on the nature of faith in the Epistle to the Hebrews and a comparison between faith described in Hebrews and in the Pauline literature, has been a very live one in recent commentaries on the

Epistle to the Hebrews, especially since the publication of the magisterial work on faith in Hebrews by Grässer (*Der Glaube im Hebräerbrief*) in 1965. Professor Rhee makes a contribution to this debate by summarizing the discussion so far and offering his own distinctive contribution to the debate.

He begins by stressing the importance of the concept of faith in the Epistle to the Hebrews, pointing out that 'it is the concept of faith that organizes these different themes [sonship of Christ, the high priesthood of Christ, apostasy, Sabbath rest and eschatology] as a unit in Hebrews.' (p. 1). A summary of discussion of the concept of faith in Hebrews in the past (including some dissertations produced in American universities) demonstrates that scholars differ widely in their views on faith and also that there has been little adequate, detailed discussion of the topic (apart, of course from the work of Grässer who devoted a whole book to it!). He then sets out his own thesis which is that faith in Hebrews is both Christologically and eschatologically orientated and in a small section on methodology says that he will pay attention to exegesis, Biblical theology, the presence of chiasm and the alternating structure of doctrine followed by paranesis.

In chapter 2 he gives a judicious account of the various competing views concerning faith in Hebrews. He does this under three headings: 1) the ethical view (Grässer, Lindars, Attridge), 2) the eschatological view (Longenecker, Käsemann, Thompson), 3) the Christological view (Hamm, Miller). His conclusion is that while one cannot ignore the ethical dimension of faith in Hebrews – steadfastness, fidelity, perseverance, hope and confidence in God's promise, obedience and reliability, -- faith in Hebrews is primarily Christological (Jesus is to be viewed not only as the model of faith, but also the content and object of faith for believers) and eschatological ('faith in Hebrews has 'the forward looking aspect, not in the spatial, but in the temporal sense').

Professor Rhee then embarks on an exegetical study of the book of Hebrews dividing the book into alternating doctrine / paranesis sections. His divisions are as follows:

1-1-14 / 2:1-4

2:5-18 / 3:1-4:16

5:1-10 / 5:11-6:20

7:1-10:18 / 10:19-39

11:1-40 / 12:1-29

Professor Rhee is correct, in my opinion, to stress the importance of taking seriously the parenetic passages in Hebrews and in using the doctrinal sections to illuminate them. The parenetic passages are more than passing asides or 'transitional digressions', to use Craig Koester's phrase in his 2001 commentary on Hebrews, but very much part of the structure and theology of the book. By using the doctrinal sections to illuminate the parenetic ones, he is able, for example, to show that the content of the message to which the listeners must pay attention is defined by chapter 1 and is essentially Christological in character.

The reviewer, however, is less happy with the decisions taken regarding the division of doctrinal / parenetic passages and the heavy reliance on the discovery of rhetorical devices (*mots crochets*, inclusion, chiasm etc.) to define the structure of the Epistle. Several instances might be cited where others might consider the discovery of chiasm or inclusion to be somewhat far fetched. For example, the argument, following J. P. Meier, that there is a chiasm in chapter 1 might require more evidence to support it. However, more importantly than argument over whether there is chiasm or inclusion in a particular passage or not, is the wider question of how much importance should be attached to their presence. While attention must certainly be paid to the presence or non presence of such devices, in the final analysis it is the **content** of the book which must be the final decisive factor in determining the author's outline and structure.

On occasions the author's citation of secondary material in support of his arguments is rather unexpected. For example, on page 76 he is pointing out the well known fact that in Hebrews 2:2 'the author

employs an *a fortiore* literary device, which is an argument from the lesser to the greater (*a minori ad majus*).’ This point is made in almost every commentary written on this section of the Epistle, but the secondary source cited in support is Herbert Braun’s Commentary in the Handbuch zum Neuen Testament series. It is difficult to see why Braun is singled out as a chief source when so many other scholars have made the same comments.

The book is marred by an unacceptably large number of typographical errors. They range from the omission of the acute accent on the French word *Hébreux* (p.257) to the inclusion of an ‘n’ after Neue in *über das Neue Testament* on the same page to widespread misuse of the definite article and other grammatical errors (e.g. ‘I consider that both Christological and eschatology is crucial in ... p.63) and awkward English syntax (e.g. ‘In this passage the author displays both similarities and differences of the qualifications between the earthly high priests and the heavenly high priest’ p.247). Careful proof reading would have avoided many of these annoying errors which distract the reader.

Professor Rhee is dealing with an important topic in any study of the Epistle to the Hebrews, a topic which has not received the attention it deserves in previous literature. He gives a good summary of the state of scholarship on the topic and his argument that the passages on faith must be understood within a Christological context must be taken seriously.

J. C. McCullough

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Contributions

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